

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL MILLER,	:	Civ. No. 1:24-CV-14
	:	
Plaintiff,	:	
	:	
vs.	:	(Magistrate Judge Carlson)
	:	
LANCASTER COUNTY, et al.,	:	
	:	
Defendants.	:	

ORDER

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

This case involves challenges to a local election in Lancaster County brought by a Lancaster County resident against Lancaster County and the Pennsylvania Commonwealth Office of Open Records. (Doc. 1). On April 8, 2024, the case was referred to the undersigned and upon review of the docket we noted a number of pending motions, including a motion for extension of time in which to respond filed by the Commonwealth defendant on February 1, 2024. (Doc. 10). This motion recited that counsel had only been assigned to the case on the date initially set for a response and sought additional time in which to respond. (Id.) In fact, the Commonwealth defendant has now responded by filing a motion to dismiss this complaint on February 9, 2024. (Doc. 16).

Recognizing that the law favors merits resolution of litigation, see United States v. \$55,518.05 in U.S. Currency, 728 F.2d 192, 194-95 (3d Cir. 1984), this motion for extension of time, (Doc. 10), is GRANTED and the Commonwealth defendant's motion to dismiss (Doc. 16), is DEEMED timely filed.

So ordered this 10th day of April 2024.

Martin C. Carlson

Martin C. Carlson

United States Magistrate Judge